

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

KEBLE GARRY MAITLAND,
A# 093-494-593,

Petitioner,

v.

WILLIAM BARR, Attorney General
of the United States, et al.,

Respondents.

CIVIL ACTION NO. 3:20-cv-01559

(RAMBO, J.)
(SAPORITO, M.J.)

KEBLE GARRY MAITLAND,
A# 093-494-593,

Petitioner,

v.

ADAM OGLE, Acting Warden of
York County Prison,

Respondent.

CIVIL ACTION NO. 3:21-cv-00991

(RAMBO, J.)
(SAPORITO, M.J.)

ORDER

These two habeas proceedings are now before the court on identical motions to consolidate. (Case No. 1559, Doc. 16; Case No. 991, Doc. 3.) For the reasons stated by the petitioner in these unopposed motions to consolidate, and finding consolidation of these proceedings to be in the

interest of judicial efficiency, the motions will be granted and both actions shall be consolidated into the first-filed action, *Maitland v. Barr*, Civil Action No. 3:20-cv-01559. See Fed. R. Civ. P. 42(a); Fed. R. Civ. P. 81(a)(4); R. 12, 28 U.S.C. foll. § 2254.¹

While both petitions ultimately seek the same relief, the factual and legal grounds for relief articulated in the *pro se* petition in Case No. 1559 and the counseled petition in Case No. 991 are not *entirely* duplicative. For clarification of the factual and legal questions truly at issue, and in the interest of judicial economy, we will order the petitioner to file an amended petition, encompassing all factual and legal grounds for relief and superseding both of the prior petitions.

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. The petitioner's unopposed motions to consolidate (Case No. 1559, Doc. 16; Case No. 991, Doc. 3) are **GRANTED**;
2. The above-captioned actions shall be **CONSOLIDATED** pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, with all

¹ We have previously exercised our discretion under Rule 1(b) of the Rules Governing Section 2254 Cases in the United States District Courts, 28 U.S.C. foll. § 2254, to apply those rules to these § 2241 petitions. (Case No. 1559, Doc. 5 ¶ 1; Case No. 991, Doc. 2 ¶ 1.)

further activity to be docketed in the first-filed action, *Maitland v. Barr*, Civil Action No. 3:20-cv-01559;

3. The later-filed action, *Maitland v. Ogle*, Civil Action No. 3:21-cv-00991, shall be marked as **ADMINISTRATIVELY CLOSED**;

4. The petitioner shall file an amended petition for a writ of habeas corpus, encompassing all factual and legal grounds for relief and superseding both of the prior petitions, **within twenty-one (21) days** after entry of this order;

5. The respondent shall file his response to the amended petition **within fourteen (14) days after service** of the amended petition; and

6. The petitioner may file a reply **within fourteen (14) days** after service of the response.

Dated: July 6, 2021


JOSEPH F. SAPORITO, JR.
United States Magistrate Judge